

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

THELMA P. WILLIS

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PLAINTIFF

*

v.

*

Case No.: AMD 02 CV3802

KERI L. DOUGHERTY, et al.

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DEFENDANTS

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MOTION TO RE-OPEN PROCEEDING

Thelma P. Willis, Plaintiff, by and through her attorney, Samuel H. Paavola, and Keri L. Dougherty, Defendant, through her attorney, Allison Silvain, jointly move to re-open this proceeding and as grounds therefore respectfully state:

1. This Court issued a Settlement Order dated January 21, 2004 that dismissed this proceeding because the Court had been impliedly advised that the case had been settled. In fact the case has not been settled and the parties wish to proceed with this personal injury case.
2. A pre-trial Order was discussed by counsel on Friday, January 16, 2004. Thereafter, on Monday, January 19 and Tuesday, January 20, 2004, numerous changes and additions were made as counsel put together the Pre-Trial Order. The Pre-Trial Order was complete and ready for filing by 2:00 p.m. on Tuesday, January 19, 2004. The Pre-Trial did not get filed because of administrative oversight.
3. However, it was the intention of both parties to have the Pre-Trial filed and it is their desire to continue with this proceeding.
4. Finally, the parties have actively been involved in settlement negotiations and will, in good faith, make attempts to settle this proceeding. However, should the case not settle despite good faith negotiations they wish to have available the opportunity to have the matter resolved before this Honorable Court.

WHEREFORE, the Plaintiff and Defendant jointly hereby move for an Order striking the dismissal in this proceeding and re-opening the action since settlement has not been consummated.

_____/s/Allison Silvain_____
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_____/s/Samuel Paavola_____
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